

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DATE FILED: 7/19/18

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UNITED STATES OF AMERICA

PROTECTIVE ORDER

-v.-

ELIZABETH ANN PIERCE,

Defendant.

- - - - -X

THE HONORABLE EDGARDO RAMOS, United States District Judge:

WHEREAS ELIZABETH ANN PIERCE, the defendant, has sought certain discovery materials from the Government pursuant to Federal Rule of Criminal Procedure 16 ("Rule 16"), which contain and/or reflect confidential information belonging to third parties;

WHEREAS the Government intends to produce certain of these materials in response to the defendant's discovery requests;

WHEREAS the Government desires to protect the confidential information contained in the materials it produces, and the parties agree that this Order is necessary and appropriate for that purpose;

IT IS HEREBY ORDERED:

1. Copies of certain discovery materials which contain and/or reflect confidential information disclosed by the Government in this action pursuant to its discovery obligations are deemed "Confidential Information." To designate material

covered by this Order, the Government shall so designate, on the material itself, in an accompanying cover letter, or on a disk cover, by using the following designation: "Confidential Information - Subject to Protective Order."

2. Confidential Information disclosed to the defendant's counsel pursuant to this Order:

(a) Shall be used only in connection with proceedings in United States v. Elizabeth Ann Pierce, 18 Cr. 388 (ER);

(b) Shall be kept in the sole possession of the defendant's attorney and shall not be disclosed in any form by the defendant's attorney except as set forth in paragraph 2(c) below;

(c) May be disclosed by the defendant's counsel only to the following persons (hereinafter "Designated Persons"):

- (i) the defendant;
- (ii) investigative, secretarial, clerical, paralegal and student personnel employed full-time or part-time by the defendant's attorney;
- (iii) independent expert witnesses, investigators or advisors retained by the defendant in connection with this action;
- (iv) such other persons as hereafter may be authorized by the Court upon such motion by the defendant;

(d) Shall be returned to the Government following the conclusion of this case and any and all copies made of said material shall be shredded and destroyed;

(e) Shall not be reviewed by the defendant except in the presence of her attorney or another Designated Person, and at no time shall the defendant be given custody of the Confidential Information or any copies thereof.

3. The defendant's counsel shall provide a copy of this Order to Designated Persons to whom Confidential Information is disclosed pursuant to paragraphs 2(c)(i), (ii) and (iii). Designated Persons shall be subject to the terms of this Order.

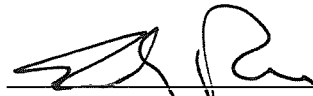
4. If Joshua Lowther, Esq., is relieved as counsel for the defendant, then the Confidential Information and any copies thereof will be returned to the Government unless replacement counsel agrees to be subject to this Order.

5. The provisions of this Order shall not be construed as preventing the disclosure of any information in any motion,

hearing, trial, or sentencing proceeding held in United States v.
Elizabeth Ann Pierce, 18 Cr. 388 (ER).

Dated: New York, New York
July 19, 2018

SO ORDERED:

A handwritten signature in black ink, appearing to be 'Edgardo Ramos', written over a horizontal line.

HONORABLE EDGARDO RAMOS
UNITED STATES DISTRICT JUDGE